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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 RONALD LEE ALLEN,

11 Plaintiff,

12 vs.

13 CLARK COUNTY DETENTION CENTER; et
14 al.,

15 Defendants.
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Case No.: 2:10-cv-00857-RLH-GWF

ORDER

***NUNC PRO TUNC* CORRECTION
OF ORDER # 138**

17 On April 22, 2011, this Court entered an Order (#138) granting Plaintiff Ronald
18 Lee Allen's motion. The Court is now aware of one inadvertent error in that Order and issues this
19 *nunc pro tunc* correction order for the limited purpose of making the record reflect what the Court
20 intended to express in the original, *see In re Warren*, 568 F.3d 1113, 1116 n.1 (9th Cir. 2009), by
21 changing the word DENIED in the conclusion to GRANTED.

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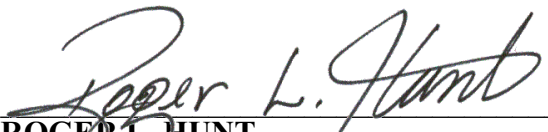
23 Before the Court is Plaintiff Ronald Lee Allen's **Motion for Extension of Time to**
24 **File Appeal** (#123, filed March 10, 2011). The Court has also considered Defendant NaphCare's
25 Opposition (#131, filed March 22, 2011), and Allen's Reply (#136, filed Apr. 5, 2011).
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1 Federal Rule of Appellate Procedure 4(a)(5) allows a district court to grant a
2 motion to extend time to file an appeal if the moving party (1) moves for the extension within 30
3 days from the expiration of the deadline to appeal, and (2) shows excusable neglect or good cause.
4 *See also* 28 U.S.C. § 2107(c). The Court finds that Allen's motion meets both of these
5 requirements and, accordingly, grants the motion. The Court extends Allen's time to file by thirty
6 (30) days from the date of the original deadline, February 20, 2011, thus making Allen's notice of
7 appeal filed on March 10, timely.

8 **Conclusion**

9 Accordingly, and for good cause appearing,
10 IT IS HEREBY ORDERED that Allen's Motion for Extension of Time (#123) is
11 GRANTED.

12 Dated: April 25, 2011.

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15 **ROGER L. HUNT**
16 **Chief United States District Judge**
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